

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

VIRGINIA M. MAYER, SP 2014-MA-231 Appl. under Sect(s). 8-922 and 8-924 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of a roofed deck 22.5 ft. and steps 18.9 ft. from front lot line, and to permit certain additions to an existing single family detached dwelling to permit second story addition 5.3 ft. from a side lot line. Located at 6104 Wooten Dr., Falls Church, 22044, on approx. 8,700 sq. ft. of land zoned R-3. Mason District. Tax Map 51-4 ((2)) (B) 12. Ms. Theodore moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 4, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. As heard in the hearing and as reflected in the record, the Board received several letters of support from adjacent or nearby neighbors.
3. Staff is recommending approval of the additions with the portico and stairs and second story addition with adoption of the proposed development conditions.
4. This is a proposal that is within the existing footprint and is proposed with materials that conform with the existing home and would be done in a scale and conformity with the neighborhood.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

2. This special permit is approved for the location and size of the portico entrance and stairs (18 feet in height) and the second story addition (977 square feet in size and 35 feet in height). These proposed structures are approved as shown on the plat "Special Permit Plat, 6104 Wooten Drive," prepared by Aaron M. Vinson, P.E., of Walter L. Phillips, Inc. on November 3, 2014, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,628 square feet existing + 2,442 square feet (150%) = 4,070 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Prior to commencement of and during the construction process, the applicant shall make reduction pruning cuts to existing crape myrtle and holly according to the ANSI A-300 Pruning Standards by a Certified Arborist to remove limbs that would be damaged by construction.
6. The applicant shall install tree protection fencing along the drip lines of the dogwood and river birch tree zones to prevent damage to the trunks as well as the stockpiling of materials within the critical root zones.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Byers seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:

Suzanne Frazier
Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

COUNTY OF FAIRFAX
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 2nd day of March, 2015.

Cheryl Lynette Foddrell
Notary Public

My commission expires:

Sept. 30, 2017

